

Petition for Exemption From State Supervision of Local Air Pollution Control Programs to the Tennessee State Air Pollution Control Board

The Tennessee Air Quality Act (TCA §§ 68-201-115(a)) allows local governments to adopt regulations that are not less stringent than those of the State. Specifically, TCA §§ 68-201-115(a) states:

“(a) Any municipality or county in this state may enact, by ordinance or resolution respectively, air pollution control regulations not less stringent than the standards adopted for the state pursuant to this part...”

Additionally, TCA §§ 68-201-115(b)(3) states:

“(3) The certificate of exemption shall be granted if the board determines that:

(A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;

(B) The enactments referenced in subdivision (b)(3)(A) are being, or will be, adequately enforced; and

(C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;”

These provisions in the TCA allow the Tennessee Air Pollution Control Board to grant a certificate of exemption from State supervision to any municipality or county in Tennessee.

Therefore, this petition with supporting information is being presented to allow entities an exemption from State supervision. These entities are referred to here as “Local Programs” to conduct the regulatory requirements typically conducted by the State Air Pollution Control Division. The petition can be for a duration up to two years (TCA §§ 68-201-115(c)(1)).

Also TCA §§ 68-201-115(b)(6) limits the exemption to the language and areas of authority specifically stated in the exemption. Therefore, the Local Program for Hamilton County is requesting to be exempted from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following (add list of provisions for which the Local Program requests exemption):

1. Ambient air quality standards;
2. Open burning restrictions;
3. Visible emissions limitations;

4. Non-process emission limitations (fuel burning and incinerator);
5. Process emission including process gaseous emissions limitations;
6. Fugitive dust restrictions (Transportation and Material Handling in Open Air);
7. Permitting requirements, including definitions; amendments to permits; applications; permitting fees; emissions fees; testing; practical enforceability; monitoring; record keeping and reporting;
8. Construction permits:
 - New Source Review - Growth Policy
 - PSD Authority
 - Installation Permits
9. Certificates of Operation:
 - Initial and Renewal
 - Federally Enforceable
10. Part 70 Operating Permits
11. Asbestos Demolition and Renovation Project Permits
12. All National Emission Standards for Hazardous Air Pollutants, as set forth in 40 CFR Parts 61 and 63 and other standards and regulations for hazardous air pollutants (including authority to determine Maximum Achievable Control Technology Standards) and authority to incorporate them into permits to comply with all provisions of Section 112 of the Federal Clean Air Act and enforcement of these standards and regulations;
13. Methods of sampling; testing and analysis;
14. Enforcement and Compliance provisions including:
 - Instituting, or causing to be instituted in a court of competent jurisdiction, legal proceedings to compel compliance with any order, final order, determination, rule, regulation or ordinance of the local Board, the director of the local Bureau, or of any included governmental entity, including instituting legal proceedings on behalf of any included municipality or county;
 - Determining that any order, final order, determination, rule, regulation or ordinance of the local Board, the director of the local Bureau, or of any included governmental entity has been violated, that such violation constitutes a public nuisance, and abating such a public nuisance in the manner provided by the general law relating to the abatement of public

nuisances, including instituting legal proceedings to abate a public nuisance on behalf of a municipality or a county;

Obtaining compliance with air pollution control rules and regulations by conference, conciliation, persuasion, issuance of formal notices of violation and prosecution thereof; including, when appropriate, holding hearings and issuing orders to assess civil penalties for each violation where each day of violation is a separate offense, and including, when appropriate, judicial proceedings or referral to the U.S. Environmental Protection Agency or district attorney general for prosecution;

Pursuing enforcement of any ordinance or regulations, or orders made by the director or the Board pursuant to the ordinance or regulations, by injunction to enjoin any violation of any requirement of the ordinance or regulations, including conditions of a permit or certificate of operation, or other appropriate remedy, and the Board shall have power to institute and maintain in the name of the Board any and all enforcement proceedings. 15. Control of emissions of particulates including PM_{2.5} and PM₁₀, carbon monoxide, sulfur dioxide, nitrogen oxides, volatile organic compounds, toxic air pollutants and gaseous emissions;

16. Control of emissions of the precursors to ozone including volatile organic compounds and nitrogen oxides;
17. Control of emissions of sulfur oxides, and emissions of sulfuric acid and sulfur trioxide (combined);
18. Control of emissions of lead;
19. Emergency episode regulations including emergency stop orders;
20. New Source Performance Standards (NSPS) set forth in 40 CFR Part 60, after adoption as local laws, listed below:

General Provisions;

Fossil-fuel fired steam generating units;

Incinerators;

Municipal waste combustors;

Portland cement plants;

Sulfuric acid plants;

Nitric acid plants;

Asphalt concrete plants (hot mix asphalt facilities);

Petroleum-refineries; Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973, and prior to May 19, 1978;

Electric utility steam generating units for which construction commenced after September 18, 1978;

Storage vessels for petroleum liquids construction after May 18, 1978 and prior to July 23, 1984;

Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed on or after July 23, 1984;

Secondary lead smelters;

Basic Oxygen Process Furnaces constructed after June 11, 1973, primary emissions;

Basic Oxygen Process Steelmaking Facilities constructed after January 20, 1983, secondary emissions;

Secondary brass and bronze ingot production plants;

Iron and steel plants;

Sewage treatment plants;

Phosphate fertilizer industry:

- Wet-process phosphoric acid plants,
- Super phosphoric acid plants,
- Diammonium phosphate plants,
- Triple superphosphate plants, and
- Triple superphosphate storage facilities;

Primary aluminum reduction plants;

Coal preparation plants;

Primary copper smelters;

Primary zinc smelters;

Primary lead smelters;

Steel plants: electric arc furnaces; Ferroalloy production;

Lime manufacturing plants;

Kraft pulp mills;

Grain elevators;

Stationary gas turbines;

Ammonium sulfate manufacture;

Glass manufacturing plants;

Automobile and light duty truck surface coating operations;

Asphalt processing and asphalt roofing manufacture;

Industrial surface coating: large appliances;

Surface coating of metal furniture;

Metal coil surface coating;

Graphic arts industry: publication rotogravure printing;

Beverage can surface coating industry;

Metallic mineral processing plants;

Pressure sensitive tape and label surface coating operations;

Magnetic tape coating facilities;

Equipment leaks of VOC in the synthetic organic chemical manufacturing industry;

Bulk gasoline terminals;

Synthetic fiber production facilities;

Volatile Organic Compound (VOC) Emissions from the polymer manufacturing industry;

Lead acid battery manufacturing plants;

- Equipment leaks of VOC in petroleum refineries;
- Flexible vinyl and urethane coating and printing;
- Petroleum dry cleaners;
- Phosphate rock plants;
- Equipment leaks of VOC from onshore natural gas processing plants;
- Electric arc furnaces constructed after October 21, 1974, and on or before August 17, 1983;
- Electric arc furnaces and argon-oxygen decarburization vessels constructed after August 17, 1983;
- Industrial surface coating: Plastic parts for business machines;
- Industrial-Commercial-Institutional steam generating units;
- Non-metallic mineral processing plants;
- Onshore natural gas processing: SO₂ emissions;
- Wool fiberglass insulation manufacturing plants;
- Polymeric coating of supporting substrates facilities;
- Rubber tire manufacturing industry;
- Calciners and Dryers in mineral industries;
- New Residential Wood Heaters;
- Municipal Solid Waste Landfills; and
- Hospital/Medical/Infectious Waste Incinerators.
21. Administrative procedures including emissions credit banking and emissions trading policy statements;
 22. Emissions limitations and monitoring requirements;
 23. Regulation of malfunctions, start-ups, and shutdowns;

24. Alternate emissions limitations;
25. General policies or plans;
26. System of permits and/or certificates to include the Title V (Part 70) permit program;
27. Scheduling and collecting fees for review of plans and specifications, issuance or renewal of permits or certificates (including Part 70 emission fees), inspection of air pollutant sources, building demolition and renovation, and computer and research time;
28. Developing and recommending a comprehensive air pollution control program, reviewing such program, and recommending such changes as may be deemed appropriate;
29. Requiring the furnishing of information from persons causing, or who may be about to cause, air pollution;
30. Entering in or upon private or public property for the purpose of inspecting and investigating any air contaminant source;
31. Providing such technical, scientific and other services as may be necessary and charging fees for preparation, research, computer time and distribution;
32. Receiving, budgeting, receipting for and administering such moneys as are appropriated or granted for carrying out the program of the local Board;
33. Collecting and disseminating information relative to air pollution; encouraging voluntary cooperation in preserving and restoring a reasonable degree of air purity; and advising, consulting and cooperating with other agencies, persons or groups in matters pertaining to air pollution;
34. Handling correspondence, keeping records, preparing reports and performing such duties as are necessary or authorized;
35. Granting or denying petitions for variances after first submitting variances to be issued to the Tennessee Division of Air Pollution Control for review;
36. Regulation of infectious and medical waste incinerators;
37. Regulation of general engineering practice stack height requirements;
38. Abatement of air contaminants, water, steam, or a combination which reduce visibility across any road to cause a hazard;

5. Are there any issues or concerns, regarding asbestos, with state owned facilities in your county?

We have received no information on state-owned facilities.

B. Staffing and Regulatory Authority

1. Please provide a current staff chart showing personnel and functions.

Robert H. Colby, Director
 Kathy Robertson, Executive Assistant
 Amber Boles, Public Relations Specialist
 James O. Holloway, Operations Manager (Grants and Operations)
 Joy W. Price, Administrative Coordinator (Budgets and Finance)
 J. Alan Frazier, Engineering Manager
 Cynthia McDaniel, Engineer (EIT) Permitting and Inspections
 Sydney Spencer, Engineer (EIT) Permitting and Inspections
 Engineer (Vacant)
 Associate Engineer (Vacant)
 Staff Attorney (Vacant)
 John C. Schultz, Investigator/Asbestos Inspections & Permitting
 Jo'an Corey, Secretary / Open Burning Permits
 Kathy Jones, Air Monitoring Manager
 Steve Langston, Instrument Technician Air Monitoring
 James Long, Instrument Technician Air Monitoring

2. Number of budgeted positions?

16

3. Number of vacant positions?

3

4. What steps are being taken to fill position(s)?

Positions are being advertised by the City of Chattanooga Human Resources Department for two new Engineering Department employees and applications of qualified candidates will be interviewed by the Bureau Engineering Manager and the Bureau Director.

5. Are there any expected staff cuts or expansions?

Not at this time.

6. Is the State informed of regulatory changes?

Yes.

7. Are your regulations available online? If so, how current are your regulations? If not, why not?

Yes, a copy of the regulations is published on the Chattanooga.gov website. These regulations are current.

8. Do your local provisions contain any land use or zoning requirements? If so, where, and how do you intend to address the requirements of TCA 68-201-115(f) and (g)? Please explain.

No.

C. Local Agency Air Pollution Control Board

1. Please provide a current list of the local Air Pollution Control Board members and their term expiration dates.

| <u>Name</u> | <u>Term Expires</u> |
|---------------------------------|---------------------------------|
| Steve Meyer (Chairman) | December 19, 2020 |
| John Tucker, PH.D. | December 19, 2016* |
| Robert Howard (Secretary) | May 18, 2014* |
| Thom Carmichael | May 3, 2015* |
| Val Deolloqui | December 19, 2020 |
| Kathleen Hunt, M.D. | May 20, 2019 |
| Sabrina Novak | Ex officio member – Health Dept |
| Colleen Russell | December 19, 2020 |
| D. Robert Lynch (Vice Chairman) | July 19, 2019 |

**Regulations provide that Board members continue to serve until replaced by the appropriate governmental entity.*

2. Is your Board or Commission fully staffed?

Yes

a. If there are vacancies, how long have they existed and when do you anticipate that they will be filled?

N/A. Regulations provide that Board members continue to serve until replaced by appropriate governmental entity.

b. How often does your Board meet?

As needed – at least two times per year.

D. State Implementation Plan Revisions (Local Program)

1. Please provide a status report for each EPA - requested SIP revisions that pertains to your county (see Table 2 below). When and how do you plan to respond to EPA's request? Are there any other SIP revisions in process, if so, at what point are they in the process?

The regulatory revisions listed below included the intended fix for TN – 291. There are no other SIP revisions in process.

2. Please list the local rules/ordinances that have been adopted since the last Certificate of Exemption was granted (July 1, 2016). Also include any which were not incorporated into the State Implementation Plan (please denote these). Describe why each rule revision was undertaken.

City of Chattanooga Ord. 13221
Hamilton County Resolution 917-4
City of Collegedale Ord. 1043
City of East Ridge Ord. 1056
City of Red Bank Ord. 17-1098
City of Lakesite Ord. 256
Town of Lookout Mountain Ord. 196
City of Ridgeside Ord. 2017-01
Town of Signal Mountain Ord. 2017-10
City of Soddy-Daisy Ord. 5 (2017-2018)
Town of Walden Ord. 2017-320

[illegible]

E. Permit Program Operation

- Sources that are classified as insignificant activities, as listed in our Ordinance, are not required to obtain a permit. Further permitting is not required for fuel-burning equipment used exclusively for heating the dwellings of less than three families or equipment for burning gas or No. 1 or No. 2 fuel oil with a design heat input capacity of less than 5 MMBtu per hour.

- ## Five years for renewals

- Yes.

INSTALLATION PERMITS

SCHEDULE 4-8-A-I. FUEL-BURNING EQUIPMENT

Fees shall be assessed based upon the design fuel burning rate per unit as expressed in millions of British thermal units (Btu) per hour, using gross heating values of the fuel.

Fuel Burning Rate (Million Btu per Hour) Fee

0.5 to 4.99..... \$ 530.00

5 to 14.99..... 625.00

15 to 99.99.....720.00

100 or greater.....960.00

(NOTE: One boiler horsepower is equivalent to approximately 33,472 Btu per hour)

SCHEDULE 4-8-A-II. INCINERATORS

Fees shall be assessed based upon the design input incineration rate as expressed in pounds per hour.

Incineration Rate (Pounds per Hour) Fee

Up to 200.....\$100.00

200 to 599200.00

600 to 999 295.00

1,000 to 1,999 385.00

2,000 to 4,999 480.00

5,000 to 9,999580.00

10,000 or greater 680.00

+ \$ 90.00 for each additional 100 lbs/hr over 10,000 lbs/hour

SCHEDULE 4-8-A-III. PROCESS EQUIPMENT

Fees shall be assessed based upon the design input process weight per hour as expressed in pounds per hour.

Process Weight (Pounds per Hour) Fee

Up to 999..... \$ 200.00

1,000 to 9,999.....340.00

10,000 to 49,999.....480.00

50,000 to 149,999625.00

150,000 to 499,999780.00

500,000 to 999,999910.00

1,000,000 or greater960.00

(NOTE: Examples of this type of equipment include: chemical processing equipment; crushing, grinding or milling equipment; and metal forming equipment.)

SCHEDULE 4-8-A-IV. ODOR PRODUCING EQUIPMENT

Each unit shall be assessed a fee of three hundred eighty-five dollars (\$385.00).

(NOTE: Examples of this type of equipment include: tar and asphalt kettles, varnish and paint heating kettles, and rendering kettles.)

SCHEDULE 4-8-A-V. MISCELLANEOUS

Any article, machine, equipment or other contrivance which is not included in the preceding schedules shall be assessed a fee three hundred eighty-five dollars (\$385.00) per unit

INITIAL CERTIFICATES OF OPERATION

SCHEDULE 4-8-C-I. FUEL-BURNING EQUIPMENT

| Fuel Burning Rate (Million Btu per Hour) | Fee |
|--|-----------|
| 0.5 to 4.99..... | \$ 600.00 |
| 5 to 14.99..... | 685.00 |
| 15 to 99.99 | 720.00 |
| 100 or greater..... | 960.00 |

SCHEDULE 4-8-C-II. INCINERATORS

| Incineration Rate (Pounds per Hour) | Fee |
|---|-----------|
| Up to 200 | \$ 340.00 |
| 200 to 599..... | 385.00 |
| 600 to 999 | 440.00 |
| 1,000 to 1,999 | 480.00 |
| 2,000 to 4,999..... | 530.00 |
| 5,000 to 9,999 | 580.00 |
| 10,000 or greater | 625.00 |
| + \$45.00 for each additional 100 lbs/hr over 10,000 lbs/hr | |

SCHEDULE 4-8-C-III. PROCESS EQUIPMENT

| Process Weight (Pounds per Hour) | Fee |
|----------------------------------|-----------|
| Up to 999..... | \$ 440.00 |
| 1,000 to 9,999..... | 580.00 |
| 10,000 to 49,999 | 720.00 |
| 50,000 to 149,999 | 865.00 |
| 150,000 and greater | 960.00 |

SCHEDULE 4-8-C-IV. ODOR PRODUCING EQUIPMENT

Each unit shall be assessed a fee of \$385.00.

SCHEDULE 4-8-C-V. MISCELLANEOUS

Each unit shall be assessed a fee of \$385.00.

RENEWAL CERTIFICATES OF OPERATION

SCHEDULE 4-8-C-VI. FUEL-BURNING EQUIPMENT

| Fuel Burning Rate (Million Btu per Hour) | Fee |
|--|-----------|
| 0.5 to 4.99..... | \$ 340.00 |
| 5 to 14.99..... | 385.00 |
| 15 to 99.99 | 440.00 |
| 100 or greater | 500.00 |

SCHEDULE 4-8-C-VII. INCINERATORS

| Incineration Rate (Pounds per Hour) | Fee |
|-------------------------------------|-----------|
| Up to 200 | \$ 240.00 |
| 200 to 599 | 260.00 |
| 600 to 999 | 295.00 |
| 1,000 to 1,999 | 350.00 |
| 2,000 to 4,999..... | 385.00 |
| 5,000 to 9,999 | 425.00 |
| 10,000 or greater | 460.00 |

SCHEDULE 4-8-C-VIII. PROCESS EQUIPMENT

| Process Weight (Pounds per Hour) | Fee |
|----------------------------------|-----------|
| Up to 999 | \$ 240.00 |
| 1,000 to 9,999..... | 340.00 |
| 10,000 to 49,999..... | 440.00 |
| 50,000 to 149,999 | 539.00 |
| 150,000 to 499,999 | 625.00 |
| 500,000 to 999,999 | 720.00 |
| 1,000,000 or greater | 820.00 |

SCHEDULE 4-8-C-IX. ODOR PRODUCING EQUIPMENT

Each unit shall be assessed a fee of \$240.00.

SCHEDULE 4-8-C-X. MISCELLANEOUS

Each unit shall be assessed a fee of \$240.00.

4. Does your program charge a fee for modifying a Title V permit?

Generally, no. There is a \$240 fee for issuance of a duplicate Part 70 permit.

5. Does your program charge a fee for extending the expiration date of construction permits?

Generally, no.

6. Does your program have annual emission fees? If yes, what are they? Do you have a minimum fee? If yes, what is it? What sources are subject to this fee, and which are not?

Yes. Part 70 (Title V) sources have an annual emission fee with a \$4,000 minimum. Part 70 fees are \$30.00 per ton of allowable emissions or \$50.00 per ton of actual annual emissions. All sources have elected allowables

7. How do you determine which applications will receive a public hearing?

When someone request a public hearing or when it is required, e.g. federally enforceable synthetic minors, PSD permits, Part 70 permits and renewals.

8. Do you hold public hearings for controversial applications for which a hearing is not required?

Yes, if there were to be a controversial application, a hearing would be held.

9. Is a public notice required for all construction permit applications? If not, which are exempt? If so, how is notice made to the public, and for how long?

Yes, notice is provided in a newspaper of general circulation and on our website for at least 30 days.

10. Are draft permits available on your website for public comment before issuance of the permit? If yes, what is the time frame? If no, why not?

Yes, draft permits are available on the Bureau's website for at least 30 days.

F. Compliance Monitoring

1. Is this agency involved in litigation with any company (if yes, explain)?

Not at the present time.

2. Explain the main enforcement problems, if any, in your county?

None at the present time.

3. Does your agency have source testing capability?

No. We require source testing to be conducted by the facility at its expense.

4. Are source tests witnessed?

Yes.

5. How many of the following sources are located in your county?

| | |
|--------------------------------------|-----|
| Title V sources: | 11 |
| Conditional Major (synthetic minor): | 68 |
| True Minor: | 301 |

6. What procedures are employed to ensure that such sources are operating within their synthetic or conditional limit?

Annual inspections and review of records. Semi-annual and annual compliance reporting.

7. How many sources are required to have continuous in stack monitors (please list sources and types of monitors)?

One. Signal Mountain Cement Co. is currently required to have continuous in-stack monitors for emissions of total hydrocarbons and for emissions of mercury. They are also required to have a continuous in-stack parametric monitor for emissions of filterable particulate matter.

8. Does the local agency implement continuous emissions monitoring requirements for the NO_x SIP Call, CSAPR and the Data Requirements Rule? Please explain.

Signal Mountain Cement Co. is required to submit an excess emissions and continuous monitoring system performance report for any event when continuous monitoring system data indicates that the source is not in compliance with an applicable emission limitation or operating parameter limitation.

G. Air Monitoring

1. Does the current monitoring network address all major source impacts?

Yes.

2. Are all source oriented monitoring sites identified as such in the current ANMP and in AQS?

There are no specific source-oriented sites.

3. Do all NCore/SLAMS monitoring sites meet siting criteria?

Yes.

4. Is the most recent annual network review completed? Please include any comments or requested corrective actions provided by EPA upon their review and approval/partial approval of the most recent ANMP.

The 2017 review is completed.

5. Does your agency have an emergency episode monitoring procedure? Please explain.

Yes, will monitor as needed when requested by appropriate authorities.

6. Does your agency operate any Special Purpose Monitoring sites? If so, please describe.

No. However the T640 is operated as an SPM monitor.

7. Please identify any deficiencies noted in the most recent State monitoring network audit and how and when those will be addressed.

EPA did not identify deficiencies in Chattanooga-Hamilton County's Network Review.

8. Please identify any deficiencies noted during the most recent TSA performed by EPA and when those were addressed.

No findings required corrective action in the October 2015 TSA.

H. Air Quality Data Management Systems

1. How often is air quality data submitted to the EPA AQS system?

Quarterly

2. What procedure is used to document biased data?

The Bureau produces ozone and particulate continuous data, and data from the PM_{2.5} Federal Reference Monitors (FRM). Data handling is documented in Standard Operating Procedures, the Bureau Quality Assurance Project Plan, and the Bureau Quality Management Plan. Flagged data is documented different ways depending upon the reason for the flag. Data flagged in AQS for exceptional events normally has been thoroughly researched, and the Air Monitoring Manager maintains that information. EPA is usually notified by e-mail of evidence for an event even if an official exceptional event request is not made. Copies of formal request documents are retained electronically and also as paper copies. AQS now has a description section for an exceptional event flag. Data flagged for mechanical, operator error, or other reasons are documented in the log books at each site, and are also documented in the datalogger internal messages for the continuous monitors. FRM PM_{2.5} mechanical or operator issues are logged into a FRM log that is kept in the lab. The contract lab for FRM PM_{2.5} weighing, InterMountain Laboratories, is also notified of a flag and the reason for the flag since

they prepare AQS files for the FRM PM_{2.5}s. The FRM PM_{2.5} log contains the site, date of exposure, cassette and filter numbers, and why the monitor data is flagged or voided.

3. Are quality assurance/quality control procedures being fully implemented? Please describe?

Yes, according to SOPs, the QMP, and the QAPP.

4. Are all of your QMPs and QAPPs current and approved by EPA? Please provide a copy of your current QMP and any QAPPs in use by your agency.

A QMP revision was submitted to EPA on November 16, 2017. A QAPP revision is in final review at the agency and will be submitted in early 2018. The Emissions Inventory QAPP was revised and submitted to EPA in August, 2017.

5. What are the expiration dates for your current QAPPs?

The QMP expired 2017. The QAPP was originally approved 2007 and resubmitted in 2015 but was not approved.

6. Who is the quality assurance coordinator?

Kathy Jones, Air Monitoring Manager

7. What laboratory facilities are available? Please explain.

We use an outside lab, IML, for PM_{2.5} filters.

I. Comments and Recommendations

1. Are there any concerns regarding program administration, staffing or funds? Has your agency analyzed the impact of reduced emissions on Title V fee collections? If yes, are you anticipating a need to increase Title V fees in order satisfy Title V program funding requirements? Is there a schedule for revising your Title V fee structure to meet any funding needs?

Yes. We analyzed decreased funding and increased permit and emissions fees between 20-25% in late 2017.

2. Are there any concerns with your local program's ability to adequately enforce your provisions as required in TCA 68-201-115(b)(3)(B)?

No

3. Was an updated air monitoring equipment inventory and condition status listing included in the most recent ANMP submitted? Are there any air monitoring system equipment needs? If yes, provide your air monitoring equipment acquisition/replacement plan that was developed based on the equipment condition and status inventory included in the most recent ANMP.

An ANMP was submitted. The Bureau plans to replace two shelters with new shelters in the next few years depending upon funding. One shelter will be replaced in 2018 by a deck or platform. There are plans to purchase a new 8872 logger in 2018.

4. Please list any recent Local Program accomplishment and highlights.

- Completed regulatory adoptions with 11 legislative bodies.
- Devoted a great deal of time to quality assurance protections for air monitoring data production of a QAPP and a QMP.
- Were the first agency in Region 4 to purchase and begin operating a Teledyne T-640 light-scattering PM 2.5 air monitor – the most advanced monitor available.
- Continued our air monitoring equipment replacement program to replace all monitors and shelters by 2020 at a cost of approximately \$250,000.
- Completed our vehicle fleet replacement program at a cost of approximately \$140,000.
- In anticipation of the planned retirement of our Senior Engineer, we are hiring a replacement early so the person retiring can train the replacement.
- Bureau Director participated as a member of the Search Committee for the Executive Director of NACAA (the National Association for Clean Air Agencies).
- Will host the Spring Membership Meeting of NACAA in Chattanooga May 2018.
- Designated “Attainment/unclassifiable” for 2015 70 ppb ozone standard.

5. Are there any anticipated issues that might impede the Local Program’s ability to continue to administer the Local Program during the next Certificate of Exemption (COE) cycle? If yes, please explain.

No.

J. Certification of Local Authority

Crosswalk between the Rules of the Tennessee Department of Environment and Conservation Air Pollution Control Division and the Local Air Pollution Control Agency

| Tennessee Division of Air Pollution Control Regulations | | Local Program Regulations | |
|--|--------------------|---------------------------|---|
| Chapter | Description | Chapter | Description |
| <u>1200-03-01</u> | General Provisions | Article 1 | Declaration of policy and purpose; title. |

| Tennessee Division of Air Pollution Control Regulations | | Local Program Regulations | |
|---|---|--|--|
| Chapter | Description | Chapter | Description |
| <u>1200-03-02</u> | Definitions | Sec. 4-2 | Definitions. |
| <u>1200-03-03</u> | Ambient Air Quality Standards | Sec. 4-41, Rule 21 | Ambient Air Quality Standards. |
| <u>1200-03-04</u> | Open Burning | Sec. 4-41, Rule 6 | Prohibition of Open Burning. |
| <u>1200-03-05</u> | Visible Emission Regulations | Sec. 4-41, Rule 3 | Visible Emission Regulations. |
| <u>1200-03-06</u> | Non-process Emission Standards | Section 4-41, Rules 5, 8 and 26.6 | Prohibition of Hand-Fired Fuel Burning Equipment. Fuel Buring Equipment Regulations. RACT – Fuel Burning Equipment. |
| <u>1200-03-07</u> | Process Emission Standards | Section 4-41, Rule 10 | Process Emissions Regulations. |
| <u>1200-03-08</u> | Fugitive Dust | Section 4-41, Rule 11 | Regulation of Transporting and Material Handling in Open Air. |
| <u>1200-03-09</u> | Construction and Operating Permits | Section 4-8 (a), (c), (e); and Section 4-41, Rule 18 | Installation Permit, Certificate of Operation, Construction or Modification Permit. Prevention of Significant Air Quality Deterioration. |
| <u>1200-03-10</u> | Required Sampling, Recording, and Reporting | Sections 4-3, 4-8a and 4-8(c) | Regulations cumulative; compliance with one provision no defense to noncompliance with another; sampling and testing methods. Installation Permits. Certificate of Operation |
| <u>1200-03-11</u> | Hazardous Air Contaminants | Section 4-41, Rules 16 and 17 | Emission standards for hazardous air pollutants other than asbestos. Emission standard for asbestos. |
| <u>1200-03-12</u> | Methods of Sampling and Analysis | Section 4-3 | Regulations cumulative; compliance with one provision no defense to noncompliance with another; sampling and testing methods. |
| <u>1200-03-13</u> | Violation | Section 4-4 | Penalties for violation of chapter, permit or order. |
| <u>1200-03-14</u> | Control of Sulfur Dioxide Emission | Section 4-41, Rule 13 | Regulation of Sulfur Oxides. |
| <u>1200-03-15</u> | Emergency Episode Plan | Section 4-20 | Emergencies. |
| <u>1200-03-16</u> | New Source Performance Standards | Section 4-41, Rule 15 | New Source Performance Standards. |
| <u>1200-03-17</u> | Reserved | n/a | n/a |
| <u>1200-03-18</u> | Volatile Organic Compounds | Section 4-41, Rule 25 | General Provisions and Applicability for Volatile Organic Compounds. |
| <u>1200-03-19</u> | Emission Standards and Monitoring Requirements for Additional Control Areas | Section 4-41, Rules 26 and 27 | Reasonably Available Control Technology (RACT) Particulate Matter Controls for New sources and New Modifications After August 29, 1995 |
| <u>1200-03-20</u> | Limits on Emissions Due to Malfunction, Startups and Shutdowns | Section 4-12 | Exceedances of Limitations on Emissions. |

| Tennessee Division of Air Pollution Control Regulations | | Local Program Regulations | |
|---|---|-------------------------------------|--|
| Chapter | Description | Chapter | Description |
| <u>1200-03-21</u> | General Alternate Emission Standards | Section 4-13 | Certificate of Alternate Control |
| <u>1200-03-22</u> | Lead Emission Standards | Section 4-41, Rule 19 | Regulation of Lead Emissions. |
| <u>1200-03-23</u> | Visibility Protection | n/a | n/a |
| <u>1200-03-24</u> | Good Engineering Practice Stack Height Regulations | Section 4-41, Rule 22 | Good Engineering Practice Stack Heights. |
| <u>1200-03-25</u> | Standards for Infectious Waste Incinerators | n/a | n/a |
| <u>1200-03-26</u> | Administrative Fees Schedule | Sections 4-8, 4-9 and 4-60 | Installation Permit and Certificate of Operation Charges for Technical Reports, Research, Computer Time Part 70 Fee Determination and Certification. |
| <u>1200-03-27</u> | Nitrogen Oxides | Section 4-41, Rule 2 | Regulation of Nitrogen Oxides. |
| <u>1200-03-28</u> | Reserved | n/a | n/a |
| <u>1200-03-29</u> | Light-Duty Motor Vehicle Inspection and Maintenance | n/a | n/a |
| <u>1200-03-30</u> | Acidic Precipitation Control | n/a | n/a |
| <u>1200-03-31</u> | Case-By-Case Determinations of Hazardous Air Pollutant Control Requirements | Section 4-41, Rule 16.10(c) and (d) | Emission Standards for Hazardous Air Pollutants Other Than Asbestos. |
| <u>1200-03-32</u> | Prevention of Accidental Releases | Section 4-41, Rule 4 | Regulation of the Importation, Sale, Transportation, Use or Consumption of Certain Fuels. |
| <u>1200-03-33</u> | Reserved | n/a | n/a |
| <u>1200-03-34</u> | Conformity | n/a | n/a |
| <u>1200-03-35</u> | Reserved | n/a | n/a |
| <u>1200-03-36</u> | Motor Vehicle Tampering | n/a | n/a |
| <u>1200-03-37</u> | Reserved | n/a | n/a |
| 400-30-17 | Conflict of Interest | Section 4-6 (a)(2) | Air Pollution Control Board. |

I hereby certify in order to support a determination pursuant to Tenn. Code Ann. § 68-201-115(b)(3) for exemption from applicability within (list County and Municipalities):

Hamilton County, Tennessee
City of Chattanooga, Tennessee
City of Collegedale, Tennessee
City of East Ridge, Tennessee
City of Lakesite, Tennessee

Town of Lookout Mountain, Tennessee
City of Ridgeside, Tennessee
Town of Signal Mountain, Tennessee
City of Soddy Daisy, Tennessee
Town of Walden, Tennessee

that:

- 1) Based on information and belief formed after reasonable inquiry, that the enacted or adopted provisions of local law in effect within my jurisdiction, are not less stringent than corresponding state provisions of the Tennessee Air Quality Act (§ 68-201-101 et. seq.) and its implementing rules.

I further certify based on information and belief formed after reasonable inquiry that these local provisions will be adequately enforced.

Signature:

Robert H. Colby

Print Name:

Robert H. Colby

Title:

Director

Date:

2-7-2018